

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

REBECCA ADAMS and
JAMES J. MCFARLAND,

Plaintiffs,

v.

LUZERNE COUNTY, et al.,

Defendants

CIVIL ACTION NO. 3:13-CV-01102

(MEHALCHICK, M.J.)

ORDER

AND NOW, this 6th day of August 2014, for the reasons set forth in the Memorandum filed concurrently herewith, Defendants' motion to dismiss ([Doc. 11](#)) is granted in part and denied in part. It is hereby **ORDERED** as follows:

1. Luzerne County 911 Emergency Services is **DISMISSED** from this action without prejudice.
2. Defendants' motion to dismiss Adams' First Amendment retaliation claim is **DENIED**.
3. Defendants' motion to dismiss McFarland's First Amendment retaliation claim is **GRANTED with prejudice**.
4. Defendants' motion to dismiss McFarland's Fourteenth Amendment equal protection claim is **GRANTED with prejudice**.
5. Defendants' motion to dismiss McFarland's Pennsylvania Human Relations Act claim is **DENIED**.
6. Defendants' motion to dismiss Luzerne County from Adams' Federal Wiretap Act claim is **GRANTED with prejudice**.
7. Defendants' motion to dismiss Luzerne County from Adams' Pennsylvania Wiretap Act claim is **GRANTED with prejudice**.

8. Defendants' motion to dismiss the Luzerne County Commissioners from Adams' wiretap claims is **DENIED**.
9. Defendants' motion to dismiss Plaintiffs' defamation claims against Luzerne County is **GRANTED with prejudice**.
10. Defendants' motion to dismiss Plaintiff's defamation claims against the Luzerne County Commissioners is **DENIED**.

The claims remaining are as follows: Adams' First Amendment retaliation claim; Adams' Fourteenth Amendment equal protection claim; Adams' Pennsylvania Human Relations Act claims;; Adams' wiretap claims against the Luzerne County Commissioners; McFarland's Pennsylvania Human Relations Act claim; and Adams and McFarland's defamation claims against the Luzerne County Commissioners.

Dated: August 6, 2014

s/ Karoline Mehalchick

KAROLINE MEHALCHICK
United States Magistrate Judge